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Policies and Procedures
of
Local Planning in Maryland

md... MARYLAND STATE PLANNING DEPARTMENT
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The foremost purpose of the Maryland State Planning Department is to encourage communities throughout the State to develop and continue comprehensive planning programs for the creation and/or preservation of the community's economic, physical, and social well being.

Since every community has its own unique and innate character, modern planning procedures must bend to meet each individual nature. Certainly, unplanned, objectiveless, haphazard growth is bad, however, standard, stereotyped, planned development is just as bad. Therefore, this Department encourages an individual approach to each community in which planning reinforces and strengthens that community's particular uniqueness.

This brochure is designed to assist the local planning commission in becoming familiar with the policies and procedures of a local comprehensive planning program. Naturally, before such a program can be undertaken successfully, commission and citizen understanding, patience, and enthusiasm are necessary. Information and advice about planning can be obtained from the State Planning Department by telephone call, letter, or by visit.

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What is local planning?

There are three stages of planning - local, regional, and state. All three are governed by similar principles, and procedures are alike. The primary difference in the three is the sphere of activity or influence. Local planning, with which this text will deal, applies to individual jurisdictions such as a county, a city, or a town. Regional planning applies to inter-related jurisdictions, those having similar problems and characteristics and being geographically oriented adjacent to each other. A metropolitan area of a city is an example of a regional unit. State planning encompasses both regional and local units and combines all planning activity into an over-all state wide plan.

The sole purpose of local planning is to provide for a better community in which to live and work. This is not a small undertaking. It is a process that takes time, money, interest, and enthusiasm. Local planning should embody all physical, social, economic, and political factors, plus take into account the ideals and the needs of the people in the community. In so doing, the orderly physical development and/or redevelopment of a community will be assured.

Everyone in the community is responsible for making all of this come true, particularly a group of public-spirited, civic-minded individuals called the planning commission. With assistance from professional planners as consultants or staff employees, the planning commission is given the responsibility of developing a planning program which will point out and define development problems, clarifying the best possible solutions, and establishing patterns for orderly growth and development.

The Local Planning Program

A. Objectives:

To be of future value, a planning program must have certain objectives. Goals or objectives are necessary for the focusing of any action. The all-encompassing objective of the planning program is to provide for a more attractive and stable community, a better place in which to live and work. This is provided for through comprehensive planning. The Housing Act of 1959 places emphasis on this type of planning and defines it in the Act to include five elements which should be part of the planning commission's objectives:

1. Preparation, as a guide for long-range development, of general physical plans with respect to the pattern and intensity of land use including provision for public facilities, together with long-range fiscal plans for such development;
2. Programming of capital improvements based on a determination of relative urgency together with definitive financing plans for the improvements to be constructed in the earlier years of the program;
3. Coordination of all related plans of the departments or subdivisions of the government concerned;

4. Intergovernmental coordination of all related planned activities among the State and local governmental agencies concerned;
5. Preparation of regulatory and administrative measures in support of the foregoing.

B. The Detailed Planning Program:

There are three distinct steps in the development of a comprehensive planning program; planning inventory, planning proposals, and planning implements, - in that order. The following outline is offered as a suggestion to assist in formulating a comprehensive planning program. It does not suggest that all communities are the same and should follow the outline to the letter. Each community has its own unique individual nature, hence, variations from the outline are necessary, depending on the particular needs and nature of the community.

1. Planning Inventory - includes the collection, review, and analysis of all data essential to the preparation and effectuation of a Comprehensive Plan.
 - a. Base Maps - a set of detailed maps of a scale adequate to show in detail the area in question (from 200 to 800 feet to the inch); a topographic map; a single sheet map of the entire area; and aerial photographs of the entire area. These base maps will be used to present pictorially the plans and study material.
 - b. Economic Base Study - an investigation of the labor force, employment, buying power, marketing habits, manufacturing, retail and wholesale trade, and other causes and potentials of the local economy.
 - c. Population Studies - examine all available population information including age, sex, racial groupings, family size, birth and mortality rates, and density patterns; analysis of population trends; estimating future population and determining where it is most likely to occur based on past trends and economic potentials.
 - d. Existing Land Use Study - mapping the existing use of each property and analysing this information to form a clear picture of the extent and character of development.
 - e. Physical Studies - investigate topographic and geographic conditions, soil and natural resources, and review of other elements of the proposed master plan in relation to these physical features.
 - f. Circulation and Transportation - study all transportation facilities, automobile, rail, ship and air, including location, traffic volumes, service, capacity and problems.

- g. Community Services and Facilities - study all existing services and facilities such as schools, libraries, fire stations, parks, hospitals, water systems, utilities, sewerage, etc. This study will show, among other things, location, size, areas of service and adequacy of facilities.
 - h. Financial Studies - investigate the fiscal structure of the area including land values, assessment ratios, tax rates, bonding and debt limitations, costs of services, etc. Analysis will include existing problems and conditions, trends and future fiscal potentials, as they relate to a capital improvement program.
 - i. Housing Conditions and Neighborhood Analysis - analyze neighborhood groupings, predominant characteristics, housing conditions, development pressures, all with the purpose of identifying any blighted areas, indicating future development potentials, and projecting requirements for governmental facilities and services.
2. Planning Proposals - these involve the piecing together of all the random parts for the production of a useful plan for community development. These proposals are based on the foregoing research and studies.
- a. The Comprehensive Plan - this is a composite of the mapped and written proposals recommending the pattern of physical development. Generally, the following three fundamental components comprise the Comprehensive Plan.
 - (1) Land Use Plan - showing the proposed location, extent, and intensity of development of land to be used in the future for residential, commercial, industrial, public and other purposes.
 - (2) Circulation Plan - showing proposed location of streets, highways, railroads, transit facilities, docks, airports and other transportation facilities.
 - (3) Community Facilities Plan - showing the location and extent of facilities such as schools, parks, hospitals, fire stations, sewerage, water supply, municipal buildings, etc.
3. Planning Implements - these so-called tools of planning are the devices through which the proposals of the Comprehensive Plan can be put into effect.
- a. Capital Improvements Program - identifies needed improvements and recommends priorities to meet the objectives established in the other planning proposals. A detailed program of improvements and financing would be established for the first six years of the program.

- b. Urban Renewal - recommendations for urban renewal programs to eliminate or impede slum and blight formation; recommendations on conservation, rehabilitation, or redevelopment and on specific project areas. Recommendations are based on the housing study and neighborhood analysis and other Plan elements.
- c. Zoning Ordinance - a legal arm of the Comprehensive Plan establishing controls on land use and density in accordance with the proposals of the Plan.
- d. Subdivision Ordinance - another legal instrument, founded on the proposals of the Plan, designed to control the physical development of land through the establishment of design standards.

Technical Assistance:

In order to plan adequately for community growth, an extensive program of data collection, imagination, and practical planning knowledge are necessary. Education of the public and encouragement of citizen participation are also very vital. For a community just starting a comprehensive planning program, success depends to a great extent upon the quality and availability of technical planning personnel.

Technical assistance can be obtained in the form of either a resident planning staff, the services of a planning consultant, or a combination of the two. First consideration should be given to obtaining a qualified community planner who will serve as a full-time employee of the local planning commission. Such an arrangement is usually preferable since the resident planner is in daily contact with the problems and people of the community and can therefore gain a better insight into solving community problems. This type of arrangement will lead to continuity of planning operations since the planner will be on hand to aid in interpreting, administering, and revising the Plan to meet the demands of daily administration and changing circumstances.

If a community is not in a financial position to employ a full-time technical planning staff, perhaps arrangements can be made to share such services with one or more neighboring jurisdictions. In the case of municipalities located within a county which has a technical planning staff, it may be possible, through mutual agreement, to use the staff of the county commission.

If retention of a local planning staff is not feasible, there are a number of qualified planners available as consultants to the local planning commissions. When choosing a consultant planner it is advisable to interview several and request that they submit a written proposal. Before interviewing any, however, the planning commission should have a good idea of the planning program which they themselves contemplate. This will form a basis for comparison of the consultants. Avoid any implication that final selection will be made on the basis of cost alone. The price of technical planning assistance will be a minute figure when compared to the value of the community's future development. Technical competence and the planner's personality (the ability to work well with the community) should be the deciding factors.

Be wary of the consultant that proposes short cuts and free services. Your community has developed over a long period of time and deserves the most thorough study before a plan is formulated and supporting ordinances adopted.

The same careful attention should be given to the choosing of a qualified planner as a full-time employee. Here again, a person must be chosen on the basis of technical "know-how" and compatibility with the people of the community.

The State Planning Department is available to recommend and advise on the cost value of services and the qualifications which a planner, resident or consultant, should have. Advice on the initiating of a planning program is also available.

Qualifications of Community (resident or consultant) Planners under the Federal Aid "701" Urban Planning Assistance Program are listed on page 10.

Financial Assistance: - Federal Grants Available through Section 701 of the Housing Act of 1954, as amended.

For communities which lack the financial resources to carry out an adequate comprehensive planning program, the Federal government will provide cash grants for those municipalities, urban areas, counties, and regions which meet certain basic qualifications as set up by the Maryland State Planning Department and the Urban Renewal Administration of the Housing and Home Finance Agency.

A. Purpose and Operation

The Urban Planning Assistance Program has three chief objectives:

1. To help state and local governments solve planning problems resulting from rapid population growth in metropolitan and other urban areas, including smaller municipalities.
2. To facilitate comprehensive planning for urban development by state and local governments on a continuing basis.
3. To encourage state and local governments to establish and develop planning staffs.

All federal grants for local planning assistance under Section 701 are made to the Maryland State Planning Department which is directly responsible to the Federal Government for the successful completion of the local project. Generally local projects extend over a period of not more than two years.

The governing body of the local jurisdiction for which an application is approved will enter into a contract with the State Planning Department. Through this contract the Department agrees to provide, through professionally qualified community planners, the services requested by the local planning commission. In return the local jurisdiction agrees to pay its share of the cost of the planning project. Thus the State Planning Department agrees to provide local planning services which are charged against a special account of the State Treasurer containing the federal grant monies,

the local cash contributions, the in-service contributions of the State Planning Department, and the in-service contributions of the professionally qualified planning staff of the local Planning Commission.

B. Local Agencies Eligible for Planning Assistance

The Urban Planning Assistance Program under the Housing Act of 1954, as amended by the Housing Act of 1961, makes the following types of local agencies eligible for urban planning grants.

1. Municipalities having a population of less than 50,000 according to the latest decennial census.
2. Counties having a population of less than 50,000.
3. Any group of adjacent communities, either incorporated or unincorporated, having a total population of less than 50,000, and having common or related urban planning problems resulting from rapid urbanization.
4. Any municipality or county which, (A) is situated in areas designated as "redevelopment areas" under Section 5(a) of the Area Redevelopment Act or, (B) which has suffered substantial damage as a result of a catastrophe and has been declared as a major disaster area (as declared by the President of the United States).
5. Governmental planning agencies for areas where rapid urbanization has resulted, or is expected to result, from the establishment or rapid and substantial expansion of a federal installation.

In cases of incorporated communities the urban planning assistance will be made to the community through its legally established planning commission. In cases of unincorporated communities, as cited in (3), urban planning assistance will have to meet the approval and be handled by the legally established county planning commission.

To the maximum extent feasible urban planning assistance should cover the entire urban spread which has common or related urban development problems. The problems of and the solutions to urban growth do not stop at political boundaries. Thus, before urban planning grants will be available, all political jurisdictions within a common urban area must agree to aid or participate in the development of a comprehensive plan for the urbanizing area.

It is desirable for local commissions, prior to submission of an application, to meet with the staff of the State Planning Department in order to:

1. Discuss the planning program.
2. Discuss the eligibility of the area for inclusion under Section 701 provisions.
3. Clarify the components of comprehensive planning as outlined under "Detailed Planning Program."

C. Types of Planning Eligible for Aid

Planning work is eligible for Urban Planning Assistance if it contributes to the preparation or revision of comprehensive plans for the physical growth or development of an eligible planning area. It includes, but is not limited to, the following:

1. Preparation, as a guide for long-range development, of general physical plans with respect to the pattern and intensity of land use and the provision of public facilities.
2. Preparation of long-range fiscal plans for carrying out the planned development.
3. Programming of planned capital improvements, according to their relative urgency.
4. Preparation of definitive financing plans for improvements recommended for construction in the initial years of the capital improvements program.
5. Coordination of planning agencies activities with related planning activities of other departments or subdivision of the government concerned and with those of other state and local governmental agencies.
6. Preparation of regulatory and administrative measures in support of the general physical plan.
7. Preparation of surveys, maps, and studies needed for the preparation of plans and programs, including surveys of the existing land use, population forecasts and economic base studies.

D. Types of Activities Not Eligible for Aid

1. Preparation of plans for specific public works.
2. Planning for the development of rural, wilderness or other non-urban areas not directly related to urban needs. (However, planning is eligible for rural areas on the fringes of cities where urbanization can be reasonably expected, or for urban related facilities).
3. Planning for the organization of governmental units.
4. Plans for reorganization of the general tax structure of the areas or for developing new sources of revenues. (On the other hand, financial studies are eligible when they are linked to the preparation of financing plans for public works or long-range fiscal plans for physical developments).
5. Preparation of promotional campaign materials to attract industry or otherwise boost the area. But facts and recommendations developed in the planning work may be used for promotional purposes that are financed from other than Planning Assistance funds.

6. Preparation of building codes, housing codes, plumbing codes, and other regulatory measures not primarily concerned with the use and development of land.
7. Routine and housekeeping activities of a planning agency, such as assignment of street names, review of subdivision plats, preparation of tax maps, holding of hearings on zoning amendments and the issuance of building or occupancy permits.
8. Expenses of a planning agency for office rent, utilities, communications, equipment and supplies, or staff employed in carrying out daily operations.
9. Planning work undertaken by metropolitan regional or urban planning agencies may not include planning for the exclusive use or benefit of any individual unit of government within the planning area, but must be of general character that will promote the orderly growth and development of the area as a whole.

E. Services Provided by the Local Planning Commission

The Local Planning Agency from its own funds, must assume the cost for providing the following:

1. Operation and maintenance costs of the Local Planning Agency including the services of clerical personnel, the handling of the day to day routine administrative matters, and equipment and materials incidental thereto.
2. Suitable office space for use of the Community Planner during the course of the Urban Planning Assistance Contract.
3. Copies of the minutes of the regular monthly meetings of the Planning Commission (Community Planner to be in attendance) to be sent to the State Planning Department.

F. Planning Assistance Funds

Approved planning projects will be financed by contributions from the Federal government, the State Planning Department and the local agency. Federal regulations allow the Federal government to provide up to two-thirds of the total cost of the planning project ("redevelopment areas" are eligible to receive up to 75 percent of the cost of the project).

The remaining one-third is contributed by state and local agencies. Generally, the State Planning Department contributes from 5 to 10% of the total project cost in supervisory and administrative services. In certain cases, depending on the nature of the local project, other state agencies contribute in-services to the project. Therefore, the contribution of the local agency will be approximately 25 percent of the total project cost.

G. Approval and Supervision

To insure prompt processing of applications the local agency should supply all of the information and documents requested in the application to the State

Planning Department. (A copy of the standard application is enclosed in the folder and additional copies will be supplied on request).

Upon receipt of the application and the determination that it is in order and that the local agency is eligible for planning assistance grants, the State Planning Department will make application to the U. S. Housing and Home Finance Agency.

On notification of Federal approval, the State Planning Department will then enter into contracts with the local agency and consultant community planners. All funds of the project are administered by the State Planning Department from a special account established by the State Treasurer.

The State Planning Department will supervise the planning project to see that the work is being performed satisfactorily and in compliance with the objectives of the Urban Planning Assistance Program.

Planning work performed prior to the signing of the contract with the State Planning Department cannot be included as part of the project. Federal regulations prohibit reimbursement for planning work undertaken prior to project approval.

Qualifications and Procedures for Community Planners: - Planners participating in Maryland's Local Planning Assistance "701" Program.

The primary intention of this Section is to define the policy of the Maryland State Planning Department as it affects the participation of Community Planners in the Maryland "701" program. In instances where exceptions to the stated policy may appear desirable, the Department will be happy to discuss the problem with the Community Planner. (The term, Community Planner, used in this Section is intended to apply to any qualified practicing planner including either the private planning consultant or the planner serving in the employ of the local agency, unless called otherwise.)

A. Qualifications of Community Planners

In order to merit consideration as a Community Planner qualified to participate in the Maryland "701" Program, the State Planning Department requires that the individual assigned to and immediately responsible for performing the work on a local project possesses at least two of the following qualifications:

1. Degree in City and/or Regional Planning.
2. At least five (5) years of competent satisfactory experience working as a staff member or consultant to, an official municipal, county or state planning agency which is similar in character to that of the specific "701" project contemplated.
3. Competent participation in the preparation of at least three (3) comprehensive community plans for areas similar in character to that of the specific "701" project contemplated.
4. Membership or associate membership in the American Institute of Planners.

The Department does not publish a list of "approved" Community Planners. The choosing of the individual is left to the discretion of the local planning agency. Technical planning knowledge and compatibility should govern the selection of the candidate.

On some local projects it may be desirable to contract with a number of specialists in closely related professions. In such instances the above qualifications would not be applicable. However, regardless of whether or not closely allied professionals are engaged for specific portions of a project, the principal project consultant immediately responsible for overall coordination and final development of the planning work under the project must meet the stated qualifications.

B. Employment of Community Planners

Qualified consultant planners are employed through contract with the State Planning Department. Selection will be by the local planning commission with the concurrence of the Department.

Selection will be made only after interview with the local commission and Department and after submission of a written proposal. The consultant will be notified promptly and can consider himself hired when funds are made available. Permanent staff employees are employed directly by the local planning commission.

C. General Contract Provisions

1. Scope of Services - the Scope of Services as set forth in the contract defines in general terms what the Community Planner is expected to investigate and produce. At the beginning of each phase of the project the Community Planner will supply the Department with an outline describing his approach - method, emphasis, items to be considered.
2. Progress and Scheduling - The Community Planner is to make every effort to complete the percentage of work each month which corresponds to 100 divided by the number of months duration of the contract.

Each month the Community Planner shall submit a brief written progress report to the local Commission and the Department.

At the end of each calendar quarter the consultant shall submit a complete progress report to the local commission and Department on forms provided by the Department.

3. Method of Payment (consultant planner only) - payment will be made to the consultant planner on a regular periodic basis, a percentage or phase completion basis, or a combination of both, whichever will best accomplish timely completion of the project.
4. Meetings - periodic meetings between the Community Planner, the local planning commission and a representative of the Department are a vital part of the planning process. Such meetings provide continuity to the

project and serve to instill in the local commission a sense of responsibility and participation. The Community Planner is expected to call and attend at least one meeting each month for the duration of the contract. Where more than one consultant is involved in a project either the local staff or the primary project consultant will arrange and coordinate the meetings. At least one week previous to the meeting the Community Planner will submit an agenda of topics to be discussed. Five (5) copies are to be sent to the community and one to the Department.

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